

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

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LG.PHILIPS LCD CO., LTD.,

Plaintiff,

v.

TATUNG COMPANY; TATUNG  
COMPANY OF AMERICA, INC.; and  
VIEWSONIC CORPORATION,

Defendants.

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Civil Action No. 04-343-JJF

**JOINT SUBMISSION CONCERNING SCHEDULING**

Plaintiff LG.Philips LCD Co., Ltd. ("LPL") and Defendants Tatung Co., Tatung Company of America, Inc., and ViewSonic Corp. ("Defendants"), jointly file this submission concerning scheduling, respectfully requesting that the Court enter and adopt the schedule proposed by the parties, subject to the approval of the Court, and state as follows:

1. The parties have conducted extensive discovery and have submitted several disputed issues to the Special Discovery Master for resolution. Discovery in the case has involved several complex and disputed issues, requiring substantial time and effort.
2. The Special Master has convened several hearings, both by teleconference and in person, to address disputed discovery issues. To assist the parties in resolving disputes and completing discovery, the Special Master has provided informal guidance, as well as several formal Reports and Recommendations and Orders to produce that are reflected in the Court record.
3. The parties have continued to supplement and exchange discovery based on the Special Master's guidance and rulings. On July 3, 2007, the Court issued several memorandum opinions adopting prior reports of the Special Master concerning discovery issues. On July 13, 2007, the

Court issued an opinion sustaining objections to other Special Master reports concerning discovery-related issues. Fact discovery is nearly complete, and the parties are now in the process of final discovery including document productions and other discovery. The parties are continuing to discuss the parameters of remaining discovery including document productions and depositions, if any.

4. The Special Master's claim construction ruling was issued on June 15, 2007, impacting the parties' efforts to complete discovery and to agree on the scope of remaining discovery. Based on the claim construction, for example, the parties will be supplementing certain contention interrogatories concerning infringement and validity issues. The scope of the remaining discovery is also impacted by recent discovery hearings before the Special Master, including hearings on June 28, 2007 and July 13, 2007. Although the parties reserve their rights to contest any final outcome of the issues raised at the June 28 and July 13 hearings, the parties hope to resolve all remaining issues. A further discovery hearing is scheduled for August 7, 2007.

5. Because of recent and ongoing events impacting the completion of discovery, the parties anticipate that additional time to complete discovery-related pre-trial matters, including expert discovery and trial preparation, would be appropriate. In addition, the parties believe that they can complete the remaining pre-trial tasks with relatively short extensions to the remaining deadlines set forth in the Second Omnibus Scheduling Order in this case.

6. Similarly, to allow for additional time to complete the remaining work necessary before trial, the parties respectfully request that the Court briefly postpone the trial date currently scheduled for January 21, 2008. The parties understand that the Court has an available trial

starting date of March 10, 2008. Therefore, the parties respectfully request that the Court reschedule the trial from January 21, 2008 to March 10, 2008.

7. A proposed revised schedule, entitled the Third Amended [Omnibus] Scheduling Order, is attached to this submission for the Court's convenience and consideration.

WHEREFORE, the parties jointly and respectfully request that the Court enter the proposed Third Amended Omnibus Scheduling Order as submitted herewith, and for such further action as the Court deems just and appropriate.

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